



CERME &amp; Woon LLP

## APPLICATION GRANTED:

The status conference scheduled for 10/11/2019 is canceled. By 10/31/2019, the parties will file either a proposed stipulation and order of dismissal or a further joint status update.

Eric Lindquist, Counsel  
[eric@cw.legal](mailto:eric@cw.legal)

SO ORDERED

Vincent L. Briccetti, U.S.D.J.

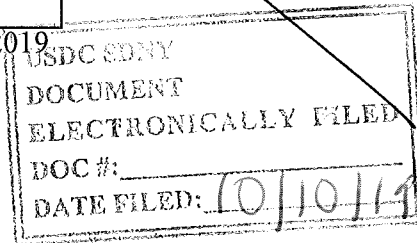
Date

10/10/19

October 9, 2019

VIA ECF ONLY

The Honorable Vincent L. Briccetti  
 United States Courthouse  
 300 Quarropas Street, Room 630  
 White Plains, NY 10601



RE: *The Plumbing Supply, LLC d/b/a Faucet Works v. ExxonMobil Oil Corp.*  
*et al.*, Docket No. 7:14-cv-03674 (VLB) – Settlement Agreement in Principle

Dear Judge Briccetti:

In accordance with Your Honor's order of August 27, 2019, we submit herein a joint update on behalf of Plaintiff The Plumbing Supply, LLC ("Faucet Works"), Defendant CPD NY Energy Corp. ("CPD"), Defendant Cumberland Farms, Inc. ("CFI"), and Groundwater and Environmental Services, Inc. ("GES")<sup>1</sup> concerning the status of the above case. Faucet Works, CPD, CFI and GES, the parties with a direct financial interest in the settlement, are in agreement concerning the substantive terms of the settlement documentation, subject only to a small number of corrections and clean-up items that will be addressed in a final draft to be circulated to all counsel before the end of this week, and final client review. CPD and CFI will contact defendants ExxonMobil Oil Corporation ("EMOC") and Exxon Mobil Corporation ("EMC") and Third-Party Defendant ConocoPhillips Company ("Conoco") concerning the final draft settlement agreement. CFI and CPD do not anticipate any controversy that would prevent EMOC, EMC, or Conoco from executing the settlement agreement.

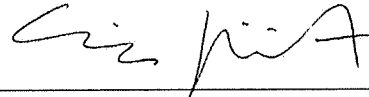
Under the settlement agreement all parties will be mutually released, and a stipulation fully and finally dismissing the case will be filed. None of Faucet Works, CPD, CFI or GES intends to contest the Petition to Enforce Filing Lien filed in the present case on September 26, 2019, by the law firm of Zarin and Steinmetz and attorney Helen Mauch.

<sup>1</sup> Pursuant to Stipulation and Order of Partial Voluntary Dismissal So Ordered by the Court on September 27, 2019 (ECF Doc. No. 512), CPD dismissed its Third-Party claims against GES and GES was terminated as a party in this matter. GES, however, remains a party to the settlement agreement being circulated and negotiated.

Hon. Vincent L. Briccetti  
October 9, 2019  
Page 2 of 2

We respectfully suggest, therefore, that there are no issues currently requiring Your Honor's attention, and we request that the conference scheduled for Friday, October 11, be adjourned pending the filing of the final stipulation of voluntary dismissal.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Eric Lindquist", written over a horizontal line.

Eric Lindquist, Esq.

Cc: All Attorneys of Record (via ECF)